

IN THE HIGH COURT OF JUDICATURE,

ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE M.H.S. ANSARI

and

THE HON'BLE MR JUSTICE T.CH.SURYA RAO

WRIT PETITION NO : 24638 of 2004

Between:

Municipal Employees and Workers Association, Ponnur, Guntur District, Rep. by its
President, Vallu Raghavendra Rao.

..... PETITIONER

AND

1. The Government of Andhra Pradesh, Rep. by its Secretary, Finance and Planning, (Finance Wing EBS-REV) Department, Secretariat, Hyderabad.
2. The Commissioner, Commercial Taxes, Hyderabad.
3. The Deputy Commissioner, Commercial Taxes, Hyderabad.
4. The Commercial Tax Officer, Bapatla Guntur, Guntur District.
5. The Deputy Commercial Tax Officer, Bapatla, Guntur District.
6. The Commissioner, Ponnur Municipality, Ponnur, Guntur District.
7. The Deputy Commissioner, Commercial Taxes, Ponnur, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to

issue a writ order or direction more one in the nature of Writ of Mandamus, declaring the action of the respondents in collecting the profession Tax from the Members of the Writ petitioner's Association at the enhanced rates dehorse the G.O.Ms.No. 48 Finance and Planning (Finance Wing EBS-REV) Department dt. 15-3-1997 Government of A.P. as illegal, arbitrary and violative of Articles 14 of the Constitution of India and further consequently prayed that this Hon'ble Court may be pleased to direct the respondents to apply the said G.O. to the members of the writ petitioner's Association and not to recover from them to profession tax at the enhanced rates and pass such other order or orders

Counsel for the Petitioner: MR.S.R.SANKU.

Counsel for the Respondents: GP FOR FINANCE & PLANNING.

The Court at the stage of admission made the following :

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THE HON'BLE SRI JUSTICE M.H.S.ANSARI
AND
THE HON'BLE SRI JUSTICE T.CH.SURYA RAO

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W.P.NO.24638 OF 2004

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ORAL JUDGMENT:

(Per the Hon'ble Sri Justice Ansari)

The learned counsel for the petitioner prays for liberty to withdraw the above writ petition.

Liberty granted.

The writ petition is accordingly dismissed as withdrawn at the stage of admission.
No order as to costs.

M.H.S.Ansari, J

T.Ch.Surya Rao, J

18th January, 2005.
mrk

To

1. The Secretary, Finance and Planning, (Finance Wing EBS-REV)
Department, Government of Andhra Pradesh, Secretariat, Hyderabad.
2. The Commissioner, Commercial Taxes, Hyderabad.
3. The Deputy Commissioner, Commercial Taxes, Hyderabad.
4. The Commercial Tax Officer, Bapatla Guntur, Guntur District.
5. The Deputy Commercial Tax Officer, Bapatla, Guntur District.
6. The Commissioner, Ponnur Municipality, Ponnur, Guntur District.
7. The Deputy Commissioner, Commercial Taxes, Ponnur, Guntur District.
8. Two CCs to the Government Pleader for Finance & Planning, High Court of
A.P., Hyderabad.
9. Two CD copies.